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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

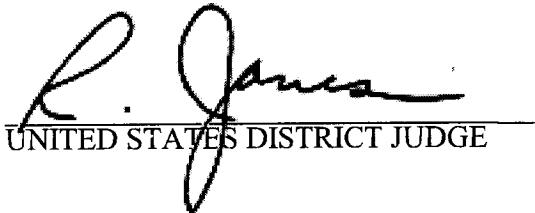
11 MARSHALL BURGESS, JR., }
12 #69217 }
13 Plaintiff, }
14 vs. }
15 NEVADA, STATE OF, *et al.*, }
16 Defendants. }
/

17 This prison civil rights action comes before the court following plaintiff's failure to pay
18 the \$350.00 filing fee in response to the court's January 15, 2013 order (ECF #3). The court denied
19 plaintiff's application to proceed *in forma pauperis* and ordered he must pay the full filing fee within
20 thirty (30) days or his case would be dismissed. More than the allotted time has passed, and plaintiff has
21 not paid the filing fee, nor responded to the court's order in any way.¹ Accordingly, the action will be
22 dismissed.

¹ The court notes that plaintiff filed a notice of change of address on January 31, 2013 (ECF #4). Out of an abundance of caution, the order directing plaintiff to pay the full filing fee dated January 15, 2013 was re-sent to plaintiff's new address on January 31, 2013.

1 **IT IS THEREFORE ORDERED** that this action shall be **DISMISSED** without
2 prejudice for failure to pay the filing fee. The Clerk of Court shall enter final judgment accordingly.
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4 Dated this 17th day of May, 2013.

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6 UNITED STATES DISTRICT JUDGE
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